

# BRIGHTON CITY COUNCIL ORDINANCE

## FULTON PLAZA SUBDIVISION ZONE CHANGE

AN ORDINANCE OF THE CITY OF BRIGHTON CITY COUNCIL, APPROVING THE REZONING OF AN APPROXIMATELY 7.39 ACRE AREA OF LAND GENERALLY LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, FROM A ZONING DESIGNATION OF PUBLIC LAND (PL) TO A ZONING DESIGNATION OF GENERAL RETAIL AND SERVICES (C-3).

ORDINANCE NO.: 2281

INTRODUCED BY: Edwards

*WHEREAS*, this matter came before the City Council upon that certain request by the Applicant, Christopher Pletcher of Ayres Associates; and

*WHEREAS*, the Applicant, is acting on behalf of Adams County, the property owner of land described in **Exhibit A** and shown in **Exhibits B** and **C**; and

*WHEREAS*, the property described in **Exhibit A** has a zoning designation of PL (Public Land); and

*WHEREAS*, Adams County wishes to offer the subject property for sale with a wide variety of commercial land uses of which many are not permitted in PL (Public Land) zoning; and

*WHEREAS*, Ayres Associates, on behalf of Adams County, has applied to change the zoning designation from PL (Public Land) to C-3 (General Retail and Services); and

*WHEREAS*, the proposed zoning designation of C-3 (General Retail and Services) for the subject property is compatible with the land uses that exist in this area; and

*WHEREAS*, the proposed C-3 (General Retail and Services) zoning designation for the rezoning area generally complies with the principles and policies described in the *Comprehensive Plan*; and

*WHEREAS*, pursuant to the City of Brighton's *Land Use and Development Code*, Public Notice of the City Council public hearing was published in the *Brighton Standard Blade* on April 11<sup>th</sup>, 2018, for not less than fifteen (15) days prior to the City Council public hearing; and

*WHEREAS*, pursuant to the City of Brighton's *Land Use and Development Code*, Public Notice of the City Council public hearing was posted with a sign upon the subject property, on April 11<sup>th</sup>, 2018, for not less than fifteen (15) days prior to the City Council public hearing; and

**WHEREAS**, pursuant to the City of Brighton’s *Land Use and Development Code*, Public Notice of the City Council public hearing was sent via regular U.S. mail to all property owners within 300’ of the proposed rezoning area, on April 11<sup>th</sup>, 2018, for not less than fifteen (15) days prior to the City Council public hearing; and

**WHEREAS**, the City Council finds and determines that the proposed zone change complies with the *Comprehensive Plan* and other master plans of the City; and complies with the requirements of the *Land Use and Development Code* and the C-3 (General Retail and Services) zone district; and provides consistency with the purpose and intent of the *Land Use and Development Code*; and provides compatibility with the surrounding areas, is harmonious with the character of the neighborhood, and is not detrimental to the immediate area, or future development of the area, or the health, safety, or welfare of the inhabitants of the City.

***NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:***

**Section 1.** That the approximately 7.39 acre area more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference, is hereby re-zoned to a zoning designation of C-3 (General Retail and Services).

**Section 2.** That the Zoning Map of the City of Brighton shall be amended to reflect said re-zoning.

**INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED,  
THIS 1<sup>ST</sup> DAY OF MAY 2018.**

CITY OF BRIGHTON, COLORADO

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Kenneth J. Kreutzer, Mayor

ATTEST:

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Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*

First Publication: May 9, 2018

*APPROVED AS TO FORM:*

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Margaret Brubaker, Esq., City Attorney

**PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED,  
BY TITLE ONLY, THIS 15<sup>TH</sup> DAY OF MAY 2018.**

CITY OF BRIGHTON, COLORADO

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Kenneth J. Kreutzer, Mayor

ATTEST:

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Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*

Last Publication: May 23, 2018

**EXHIBIT A**

**LEGAL DESCRIPTION OF THE RE-ZONING AREA**

**LOT 1, FULTON PLAZA FILING NO. 1 OF THE ADAMS COUNTY CLERK AND RECORDER OFFICE AND BEING SITUATED IN THE SOUTHEAST QUARTER OF SECTION 5, T.1S., R.66W., OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BASIS OF BEARINGS:**

**BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHEAST 1/4 OF SEC 5, T1S, R66W, 6TH P.M. AND IS ASSUMED TO BEAR, N00°24'15"W.**

**COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 5, T.1S., R.66W., OF THE 6TH P.M.; THENCE N00°24'15"W ALONG THE SAID WEST LINE, A DISTANCE OF 50.00 FEET; THENCE N89°19'53"E, A DISTANCE OF 38.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF EAST BRIDGE STREET AND BEING THE POINT OF BEGINNING.**

**THENCE N00°24'15"W, A DISTANCE OF 440.26 FEET;**

**THENCE N89°10'45"E, A DISTANCE OF 656.36 FEET;**

**THENCE S00°41'44"E, A DISTANCE OF 111.60 FEET;**

**THENCE S43°14'44"E, A DISTANCE OF 235.00 FEET;**

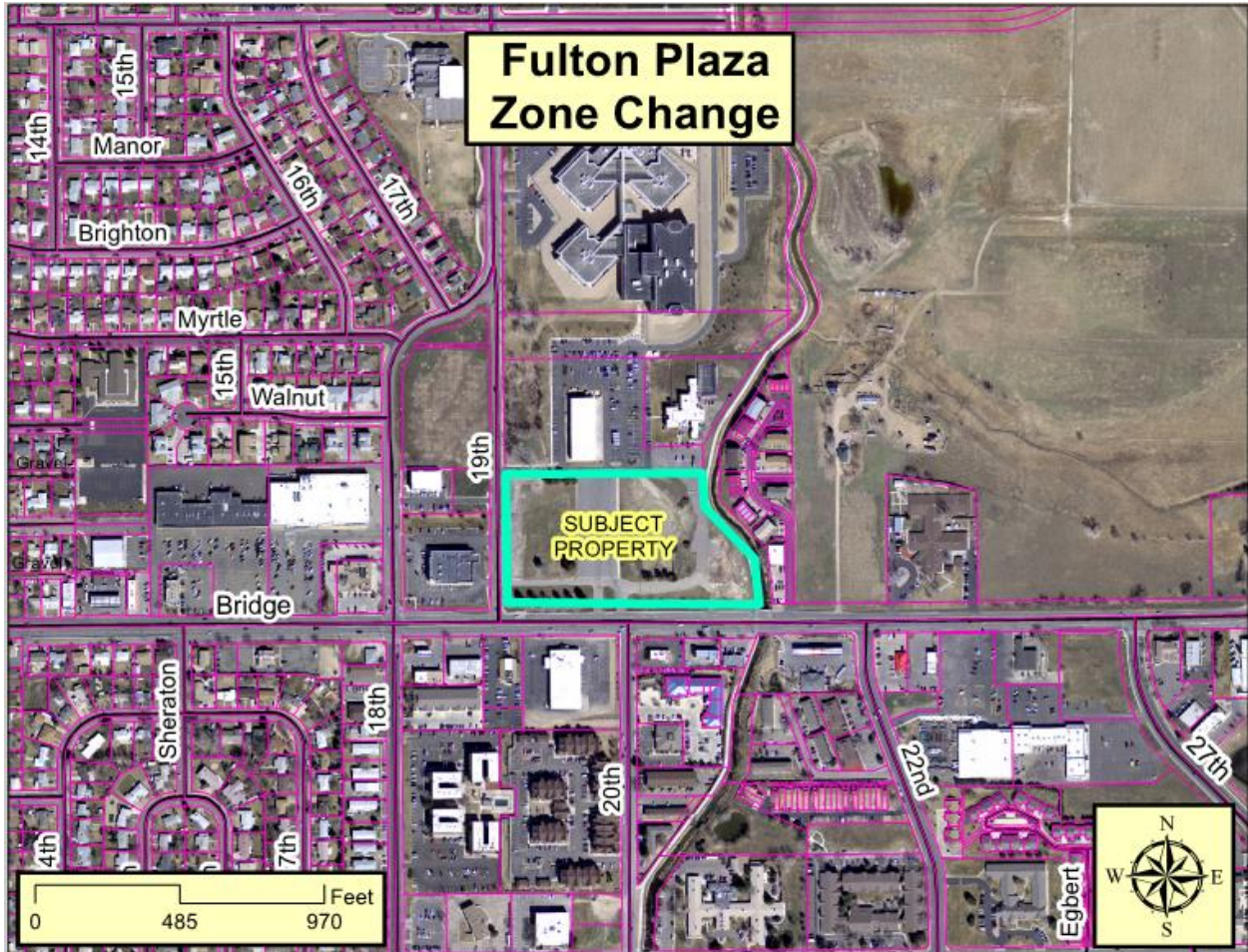
**THENCE S06°52'15"E, A DISTANCE OF 158.28 FEET TO THE NORTH OF WAY LINE OF EAST BRIDGE STREET;**

**THENCE ALONG SAID NORTH RIGHT OF WAY LINE, S89°19'53"W, A DISTANCE OF 834.54 FEET TO THE POINT OF BEGINNING.**

The subject property being approximately 7.39 acres.

**EXHIBIT B**

CITY STAFF'S MAP OF THE RE-ZONING AREA





# EXHIBIT C

## APPLICANT'S MAP OF THE RE-ZONING AREA

